



U.S. Department of Justice
United States Attorney
Western District of New York

Further inquiries: (716) 843-5814

138 Delaware Avenue
Buffalo, New York 14202

PRESS RELEASE

November 2, 2005

RE: UNITED STATES v. SALVATORE SPATORICO

Acting United States Attorney Kathleen M. Mehltrittter announced today the first sentencing of a member of Laborers Local 91 for acts of violence committed on behalf of the union in Niagara County, New York. SALVATORE SPATORICO, age 58, of Niagara Falls, New York, was sentenced by the Hon. Richard J. Arcara, United States District Judge to 27 months imprisonment, to be followed by 2 years supervised release, for his role in an attack upon a truck driver for Alliant Food Services on April 17, 1998. SPATORICO had pleaded guilty to attacking the driver and disabling the truck on June 27, 2005

Assistant U.S. Attorney William J. Hochul, Jr., and Assistant U.S. Attorney Brett A. Harvey, who are handling the case, stated that the charges arose from a lengthy criminal investigation

conducted by a variety of federal, state and local agencies into the activities of Laborers International Union of America, Local 91 ("Local 91"), based in Niagara Falls, New York. According to the Indictment, a substantial number of Local 91 members engaged in repeated acts of extortion at a number of construction projects in Niagara County, New York, over a six year period of time. It should be noted that the fact that a defendant has been charged with a crime . . . is merely an accusation and the defendant is presumed innocent until and unless proven guilty. (**Disciplinary Rule 7-107(B) (6)**). The charges in that Indictment included racketeering conspiracy and extortion, although today's sentence was for the federal crime of disabling the driver and his truck.

To date, five defendants named in the Superseding Indictment have been convicted of racketeering conspiracy, two defendants were convicted of extortion, one other defendant was convicted of attempted disabling of the Alliant Food Service truck, and another defendant was acquitted of trying to disable the Alliant truck. The former head of Local 91, Michael "Butch" Quarcini, meanwhile, passed away while facing charges. Four remaining defendants are awaiting a trial currently scheduled for January, 2006.

Most recently, and as part of our Office's continuing investigation in the case, the president of Laborers Local 91,

Robert Malvestuto, Jr., along with an Executive Board member of the union, Patrick McKeown, were convicted of racketeering conspiracy. Another Local 91 member, Robert Alex, pleaded guilty to perjury, also as part of the continuing investigation. On October 20, 2005, our Office obtained a complaint charging the current Sergeant at Arms of the Local, Randy Butler, with carrying and using an explosive during commission of a felony (extortion of non-union asbestos workers).

The plea was the culmination of a joint investigation on the part of the United States Department of Labor, Office of Inspector General, under the direction of Gordon Hedel, the Federal Bureau of Investigation, under the direction of Special Agent in Charge Peter Ahearn, the New York State Police, under the direction of Michael Manning, the Niagara County Sheriff's Office, under the direction of Sheriff Thomas Beilein, and the Niagara Falls Police Department, under the direction of Commissioner John Chella.

###